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## **BOARD OF FORESTRY AND FIRE PROTECTION**

**Sacramento, CA**  
**August 27, 2014**

### **BOARD OF FORESTRY MEMBERS PRESENT:**

J. Keith Gilles, Chair  
Mark Andre  
Bruce Saito  
Rich Wade  
Susan Britting  
Mike Miles  
Stuart Farber  
Mary Rickert  
Susan Husari

### **BOARD STAFF:**

George Gentry, Executive Officer  
Matthew Dias, Executive Officer, Forester's Licensing  
Thembi Borrás, Regulations Coordinator  
Kevin Conway, SRA Forester  
Laura Alarcon-Stalians, Analyst  
Edith Hannigan, Analyst  
Linda Cano, Executive Assistant  
Stephen Lerner, Esq., Board Counsel

### **DEPARTMENTAL STAFF:**

Ken Pimlott, Director  
Janet Barentson, Chief Deputy Director  
Duane Shintaku, Deputy Director, Resource Management  
Janet Upton, Deputy Director of Communications  
Stephanie Shimazu, Esq., Chief Counsel  
Dennis Hall, Assistant Deputy Director, Forest Practice  
Helge Eng, Assistant Deputy Director, Resource Protection

#### *The Board's Mission:*

*To lead California in developing policies and programs that serve the public interest in environmentally, economically, and socially sustainable management of forest and rangelands and a fire protection system that protects and serves the people of the state.*

1. Reconvene, Report of Actions Taken in Executive Session

The Board reviewed the Professional Foresters Examining Committee's recommendations of a Private Board Reprimand in the matter of Case #327. The Board adopted those recommendations.

2. Approval of Minutes from Previous Meetings.

**08-14-01** Member Saito moved to approve the June Minutes. Member Andre seconded the motion.  
The motion passed unanimously by acclamation.

The Board welcomed Assembly Members Cooley, Dickinson, Chesbro, and Dahle, who presented the Chair with a resolution honoring the University of California's Forestry program on the Centennial of the program.

**MONTHLY BOARD REPORTS**

3. Report of the Chairman.

Chair Gillless acknowledged and thanked the Society of American Foresters for organizing the Rim fire field tour.

4. Report of the Director/Department.

The Board received reports on the Napa earthquake, the fire season, progress on the Vegetation Treatment program, the Forestry Climate Action Team, the grant program with funding from cap and trade, and current legislation.

5. Report of the United States Forest Service. Jeanne Wade Evans, Deputy Regional Forester.

Item deferred until October.

6. Report of the Regulations Coordinator.

7. Report of Executive Officer.

- a. Update on Log Export regulations
- b. Review of Effectiveness Monitoring Committee roster
- c. Review on Legislation of Interest
- d. Review of required State Responsibility Area Report

**08-14-02** Member Farber moved to adopt the Effective Monitoring Committee roster list as presented. Member Rickert seconded the motion.

**Roll Call Vote**

Saito -Aye	Britting -Aye
Andre -Aye	Wade -Aye
Husari -Aye	Miles -Aye
Farber -Aye	Rickert -Aye
	Gillless -Aye

**Motion passed unanimously.**

8. Report of the Standing Committees.

- Forest Practice, Sue Britting, Chair
- Resource Protection, Bruce Saito, Chair
- Management Committee, Stuart Farber, Chair

No action items to report

9. Report of Board's Advisory Committees

- Forest Pest Council- Katie Harrell
- Range Management Advisory Committee- Kevin Conway
- Professional Foresters Examining Committee –Matt Dias.

**SPECIAL BOARD HEARINGS/REPORTS**

10. Presentation of the Francis H. Raymond Award for Outstanding Contributions to California Forestry. Recipient: the Forestry Program of the University of California, Berkeley.

UC Berkeley Forestry represents a strong cadre of foresters that today are well-represented as leaders in the management, conservation, regulation and research of California's vast forestlands. Academic contributions of the program have positively impacted forest management and policy throughout the world since the program started a century ago, in 1914.

11. Pacific Gas and Electric Company Presentation on Drought Related Vegetation Management Efforts. Niel Fischer.

Highlights of the presentation:

134,000 Miles of Overhead T&D wire – or 5 times around the world to maintain  
50 million +/- trees that could interfere with PG&E facilities  
400 arborists, 2000 tree contractors utilized  
1.3 million trees/year abated

12. Review of the Initial Study for the Soquel Demonstration State Forest Management Plan.  
Possible Action Item: The Board may approve the Initial Study and authorize the appropriate CEQA document.

**08-14-03** Member Farber moved to approve Initial Study and submit negative declaration for the Soquel Demonstration State Forest Management Plan. Member Rickert seconded the motion.

**Roll Call Vote**

Saito -Aye	Britting -Aye
Andre -Aye	Wade -Aye
Husari -Aye	Miles -Aye
Farber -Aye	Rickert -Aye
	Gilless -Aye

**Motion passed unanimously**

13. Summary of Wood for Salmon Working Group activities. Jonathan Warmerdam, NCRWQCB.

Public Comment:

Gary Ryneerson, Green Diamond Resource Co. wanted to make the Board aware that although the presentation was focused on Mendocino County, this same type of project is going on throughout the coastal areas. Bill 2193, Assemblyman Dahle will make it easier to carry out the projects.

14. Report on “Marijuana Trespass Grows: Impacts to the Forested Landscape”.

Public Comment:

Madeline Melo: meeting September 5, Resolution calling on the Governor and the legislature to convene a summit to address the devastating environmental impacts of illegal marijuana grows on private and public lands to be voted on by the membership of The League of California Cities.

Eric Carlson: wanted to express their support of Madeline’s efforts.

Joe McBride: commented on the Board’s limited legal authority on the issue, and sees the Board that can express their concerns to the public, agencies and other Boards who may have more authority to implement and enforce penalties.

15. Hearing: “Emergency Notice- Native American Notification Amendments, 2014”.

Public Comment :

Kenneth Holbrook, Executive Director, Maidu Summit Consortium, expressed they were pleased with the changes to the regulation.

Clayton Code, CLFA, offered their support and thanked the Board for the rule changes.

**08-14-04** Member Andre moved to adopt Emergency Notice-Native American Notification Amendments, 2014, as noticed in the 15 day notice. Member Wade seconded.

**Roll Call Vote**

Saito -Aye	Britting -Aye
Andre -Aye	Wade -Aye
Husari -Aye	Miles -Aye
Farber -Aye	Rickert -Aye
	Gilless -Aye

**Motion passed unanimously**

16. Initial Hearing: “Forest Fire Prevention Pilot Project Exemption, 2014”

Public Comment:

Gary Ryneerson, California Forestry Association commented on finding solutions to slash standards.

Mike Tadlock, CLFA approves and supports the rule package.

**08-14-05** Member Miles moved to adopt as noticed. Member Farber seconded the motion.

**08-14-06** Member Wade moved to amend the main motion with the changes suggested by the regulations coordinator (see below) and issue a 15-day notice. Member Andre seconded.

1. Adopt canopy standards consistent with existing Forest Fire Prevention Exemption found in 14 CCR § 1038(i)(9).
2. Add subsection (j) to the list of activities in 14 CCR § 1038(e) requiring a 5 day waiting period prior to commencement of operations.
3. Remove the code sections from proposed language in 14 CCR § 1038(j)(7) for clarity and consistency with other rules.
4. Add subsection (j) to the exemptions listed in 14 CCR § 1038.2(f).

**Roll Call Vote**

Saito -Aye	Britting -Aye
Andre -Aye	Wade -Aye
Husari -Aye	Miles -Aye
Farber -Aye	Rickert -Aye
	Gilless -Aye

**Motion passed unanimously**

**08-14-07** Member Britting moved to amend the main motion to add the provision of AB 2142, contingent upon the Governor's signature of the legislation. Member Rickert seconded.

**Roll Call Vote**

Saito -Aye	Britting -Aye
Andre -Aye	Wade -Aye
Husari -Aye	Miles -Aye
Farber -Aye	Rickert -Aye
	Gilless -Aye

**Motion passed unanimously**

**08-14-08** Member Wade moved to amend the main motion to change the slash treatment height requirement from nine to eighteen inches or to use 25 bone tons per acre if whole tree yarding methods were utilized. Member Farber seconded. Chair Gilless called for separation of the question.

**08-14-08a** Motion to change slash treatment requirements from nine to eighteen inches.

**Roll Call Vote**

Saito -No	Britting -No
Andre -No	Wade -Aye
Husari -No	Miles -Aye
Farber -Aye	Rickert -Aye
	Gilless -Aye

**Motion passed 5-4.**

**08-14-08b** Motion to use 25 bone dry tons per acre if whole tree yarding methods are utilized.

**Roll Call Vote**

Saito -No	Britting -No
Andre -No	Wade -Aye
Husari -No	Miles -No
Farber -No	Rickert -No
	Gilless -No

**Motion failed 1-8.**

**08-14-09** Member Wade moved to make the slash treatment timing consistent with the outcome of **“Slash Treatment Amendments, 2014”** (Pending hearing, item 19). Member Andre seconded.

**Roll Call Vote**

Saito -Aye	Britting -Aye
Andre -Aye	Wade -Aye
Husari -Aye	Miles -Aye
Farber -Aye	Rickert -Aye
	Gilless -Aye

**Motion passed unanimously**

**08-14-05** Return to main motion, as amended.

**Roll Call Vote**

Saito -No	Britting -No
Andre -No	Wade -Aye
Husari -No	Miles -Aye
Farber -Aye	Rickert -Aye
	Gilless -Aye

**Motion passed 5-4.**

**17. Initial Hearing: “SRA Fire Safe Regulations Update, 2014”**

**08-14-10** Member Saito moved to put out for 15-day Notice the SRA Fire Safe Regulations Update, 2014, with certain edits. Member Rickert seconded the motion.

Public Comment

Michael Garabedian, President of Friends of the North Fork, is supportive of the rule package as it relates to the North Fork watershed. Noted their interest or concern with forest policy 342.5.3, structures in SRA and wildland urban interface.

**Roll Call Vote**

Saito -Aye	Britting -Aye
Andre -Aye	Wade -Aye
Husari -Aye	Miles -Aye
Farber -Aye	Rickert -Aye
	Gilless -Aye

**Motion passed unanimously**

**18. Initial Hearing: “Slash Treatment Amendments, 2014”**

**08-14-11** Member Andre moved to put out for 15-day Notice the Slash Treatment Amendments, 2014. Member Britting seconded the motion. Member Wade offered a friendly amendment to add “30 days from climatic access”. Amendment was accepted by maker and seconder.

**Roll Call Vote**

Saito -Aye	Britting -Aye
Andre -Aye	Wade -Aye
Husari -Aye	Miles -Aye

Farber -Aye

Rickert -Aye

Gilless -Aye

**Motion passed unanimously**

**CONCLUSION**

19. Public Forum.

Bill Banka, RPF, requested that the Board examine the recent change in TPZ zoning language in Placer County related to ski areas. The executive Officer agreed to do so.

20. New and Unfinished business. Adjournment.

Respectfully submitted,

ATTEST:



George D. Gentry  
Executive Officer



Keith Gilless  
Chair

Copies of the attendance sheets can be obtained from the Board Office.